



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida 33701

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FOR IMMEDIATE RELEASE:

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NOAA Seeks Comments on a Proposed Rule to Modify the Gulf of Mexico Coastal Migratory Pelagic and Reef Fish Charter Vessel/Headboat Permit Renewal and Transfer Requirements

NOAA Fisheries is seeking public comment on a proposed rule that would eliminate the requirement to submit a current Certificate of Inspection from the United States Coast Guard (Coast Guard) with the application to renew or transfer a federal Gulf of Mexico (Gulf) coastal migratory pelagic and reef fish charter vessel/headboat (for-hire) permit. The rule would also prohibit the harvest or possession of coastal migratory pelagic and reef fish species on vessels with a Gulf for-hire permit that are carrying more passengers than specified on the face of the Gulf for-hire permit. The passenger capacity designated on the Gulf for-hire permit is based on the Certificate of Inspection of the vessel when the moratorium permit was first issued. The proposed rule published in the *Federal Register* on June 21, 2013, with the comment period ending July 8, 2013.

Background

Regulations implemented through the Coastal Migratory Pelagic and Reef Fish Fishery Management Plans limit Gulf for-hire permit transfers and renewals to vessels that have the same passenger capacity or a lower passenger capacity. This measure was put in place to limit overall coastal migratory pelagic and reef fish fishing effort by the for-hire sector. A permit's passenger capacity currently is based on the Certificate of Inspection when the moratorium permit was first issued. However, because NOAA Fisheries can only renew or transfer a permit if the vessel's current Certificate of Inspection is equal to or less than the passenger capacity on the Gulf for-hire permit, this limits the ability of the owner of a permitted vessel to transfer the permit to a vessel

that has a higher Certificate of Inspection or uses the vessel for non-fishing activities (e.g., ecotours or sunset tours) where the Coast Guard might allow a higher passenger capacity. Under these circumstances, the vessel owner must request the Coast Guard to set the Certificate of Inspection equal to or less than the permit's passenger capacity to renew or transfer a permit.

The effect of the proposed rule would be to:

- Eliminate the restriction requiring the Certificate of Inspection when transferring for-hire permits.
- Simplify the requirements to renew or transfer a Gulf for-hire permit.
- Maintain the cap on fishing effort from the for-hire sector.
- Allow for-hire vessels to carry more passengers for non-fishing activities if their Certificate of Inspection is greater than the passenger capacity on their Gulf for-hire permit.

Request for Comments

NOAA Fisheries must receive comments on this proposed rule no later than July 8, 2013. We will address all comments specifically directed to the framework action or the proposed rule in the final rule. You may obtain electronic copies of the proposed rule and the amendment from the NOAA Fisheries Web site:

http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_fisheries/2013/coi/index.html or the e-Rulemaking Portal: www.regulation.gov.

How to Submit Comments

You may submit comments on this document, identified by NOAA-NMFS-2013-0065, by any of the following methods:

Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to

www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0065, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments. Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only. All comments received will be addressed in the final rule.

Mail: Submit written comments to Peter Hood, NOAA Fisheries, Southeast Regional Office, Sustainable Fisheries Division, 263 13th Avenue South, St. Petersburg, Florida 33701-5505.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NOAA Fisheries. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NOAA Fisheries will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).